

NOT FOR PUBLICATION

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

EDWARD G. PETRAGLIA,

Plaintiff,

v.

U.S. BANK, N.A., *in its direct capacity as a debt collector*; SELECT PORTFOLIO SERVICING, INC., *in its direct capacity as a debt collector, and as agent for U.S. Bank, N.A.*; MILSTEAD & ASSOCIATES, INC., *in its direct capacity as a debt collector*; GREGORY J. TENCZA; 314 ATLANTIC AVENUE – SPRING LAKE, LLC; ABC CORP. DEFENDANTS I – X; and JOHN DOE DEFENDANTS I – X,

Defendants.

Civ. No. 17-6325

**ORDER**

R E C E I V E D

MAR 15 2018

AT 8:30 \_\_\_\_\_ M  
WILLIAM T. WALSH  
CLERK

THOMPSON, U.S.D.J.

This matter having come before the Court on multiple motions; the Court having fully considered the written submissions of the parties and having heard oral argument on all pending motions on March 15, 2018 at 2:00 PM, and for the reasons stated on the record after oral argument on this same day,

IT IS on this 15th day of March, 2018,

ORDERED that the Motion for Reconsideration or Clarification filed by Plaintiff Edward G. Petraglia (ECF Nos. 51, 52) is DENIED; and it is further

ORDERED that the Motion to Dismiss the Amended Complaint brought by Defendant Milstead & Associates, LLC (ECF No. 53) is GRANTED; and it is further

ORDERED that Plaintiff's Amended Complaint (ECF Nos. 33, 39) is DISSMISED as to Defendant Milstead & Associates, LLC; and it is further

ORDERED that the Motion for Judgment on the Pleadings brought by Defendants Gregory J. Tencza & 314 Atlantic Avenue – Spring Lake LLC (ECF No. 49) is GRANTED; and it is further

ORDERED and ADJUDGED that JUDGMENT is ENTERED for Defendant Gregory J. Tencza on Count Three of Plaintiff's Amended Complaint, the only claim brought against him (Am Compl. ¶¶ 14, 38–39, 217, ECF No. 39); and it is further

ORDERED and ADJUDGED that JUDGMENT is ENTERED for Defendant 314 Atlantic Avenue – Spring Lake LLC on all Counts of Plaintiff's Amended Complaint (ECF Nos. 33, 39); and it is further

ORDERED that the Counterclaim brought by Defendants Gregory J. Tencza and 314 Atlantic Avenue – Spring Lake LLC, and the attendant Motion for Default Judgment thereon, are STAYED pursuant to 11 U.S.C. § 362(a)(1) (*see* ECF No. 59).

  
ANNE E. THOMPSON, U.S.D.J.